

### REMARKS

Claims 1 and 3-21 are pending. Support for the amendment to claim 1 may be found in the specification as originally filed, for example, in original claim 2.

**I. The Rejection Based on Umemoto in view of Yano et al.**

Claims 1, 2 and 4 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Umemoto in view of Yano et al.

Claims 3 and 5-21 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Umemoto in view of Yano et al. and further in view of Saito.

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Umemoto in view of Yano et al, alone or further in view of Saito, and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

The Examiner state that Umemoto discloses an optical film for a liquid crystal display obtained by laminating a polarizing plate 1 and a retardation film 2 comprising two layers 21, 22 so that an absorption axis of the polarizing plate and a slow axis of the retardation film are perpendicular to each other (Figure 1 and paragraph 20).

The Examiner also states that Umemoto discloses Applicant's claimed relationships (paragraph 19):

an Nz value represented by  $Nz = (nx_2 - nz_2)/(nx_2 - ny_2)$  is in the range of from 0.15 to 0.35 and 0.65 to 0.85, which meets the claimed range of from 0.25 to 0.8; and

an in-plane retardation  $Reg = (n_{x2} - n_{y2}) \times d_2$  is in the range of from 190 to 320 nm (paragraph 21), which meets the claimed range of from 60 to 300 nm.

It is not clear where support may be found in Umemoto for the Examiner's statement that Umemoto discloses of  $N_z$  of from 0.15 to 0.35 and 0.65 to 0.85. Umemoto discloses two retardation films 21 and 22, one having a  $N_z$  from 0.05 to 0.2 and the other from 0.3 to 0.45. Thus, the Examiner erroneously refers to  $N_z$  values not disclosed in Umemoto. Clarification by the Examiner is requested.

Umemoto discloses a transparent protective film (comprising two layers, i.e., a retardation film having in-plane retardation of 190 to 320 nm and  $N_z = 0.05-0.20$  and a retardation film having in-plane retardation of 190 to 320 nm and  $N_z = 0.3-0.45$ )/polarizer/(transparent protective film). These are the correct values from Umemoto.

On the other hand, Yano discloses the use of a retardation plate having in-plane retardation 80 to 200 nm and  $N_z = -0.2-0.2$  together with a polarizing plate (protective film having in-plane retardation of 10 nm or less and thickness direction retardation of 30 to 70 nm: TAC) and also discloses, in paragraph [0028], the use of a liquid crystal cell a TN liquid-crystal cell, a vertically aligned cell, an OCB cell or an IPS cell.

The Examiner thus alleges that claim 1 of the present application is obvious through the use of the transparent protective film (for example, TAC) disclosed in Yano as the transparent protective film disclosed in Umemoto. The Examiner's logic seems to have been made based on the concept of replacing the layer on the polarizer side (retardation films) in the transparent

protective film (two layers of retardation films) disclosed in Umemoto with the transparent protective film (for example, TAC) disclosed in Yano.

The technical significance of the transparent protective film (two layers of retardation films) disclosed in Umemoto, however, resides in the use of two layers, i.e., a retardation film having in-plane retardation of 190 to 320 nm and  $N_z = 0.05-0.20$  and a retardation film having in-plane retardation of 190 to 320 nm and  $N_z = 0.3-0.45$ . The advantages of Umemoto cannot be obtained if the in-plane retardation or  $N_z$  of one of the retardation films falls outside the defined range. This is obvious from Comparative Examples of Umemoto as well. Further, Comparative Example 1 of Umemoto uses a TAC film (transparent protective film disclosed in Yano) in place of a transparent protective film (two layers of retardation films), and thus Umemoto seems to exclude and teach away from the use of the TAC film in place of the retardation film.

In view of the above, the two layers of retardation films, referred to as the transparent protective film in Umemoto, must have predetermined in-plane retardation and  $N_z$  values. The replacement of the films with a transparent protective film having little retardation would eliminate the technical significance of Umemoto (paragraphs [0027] to [0029]).

The transparent protective film disclosed in Yano, on the other hand, has little in-plane retardation.

Therefore, one skilled in that art in view would not have replaced the transparent protective film layers of Umemoto, which must have the stated predetermined in-plane retardation and  $N_z$  values, with the transparent protective film of Yano, which have little retardation.

Further, Umemoto (paragraph [0027]) describes that the advantages of Umemoto cannot be obtained in (1) the case where the retardation film of the present invention alone is used (Fig. 2(b): corresponding to Comparative Example 5 of Umemoto) and in (2) the case where the transparent protective film of the present invention alone is used (Fig. 2(c): corresponding to Comparative Example 1 of Umemoto). Applicants respectfully submit that, based on this description, one of the two layers of retardation films disclosed in Umemoto cannot be replaced with the transparent protective film disclosed in Yano.

Additionally, Applicants have amended claim 1 to recite the IPS mode liquid crystal display comprising a liquid crystal cell driven in IPS mode.

The Examiner states that the limitation “applied to IPS mode liquid crystal display” is obvious from the description of Yano.

However, Umemoto, cited as the main Reference, nowhere provides the description regarding the limitation “for IPS mode.”

Yano, on the other hand, does mention “IPS mode.” However, the invention disclosed in Yano is clearly different from the present invention in terms of the Nz value of the retardation film, as argued in the response to the previous Office Action. See also the above discussion. Thus, Yano cannot be cited as the main Reference. Applicants respectfully submit that the recitation “for IPS mode” would not have been obvious to one skilled in the art based on the materials and disclosures of Umemoto in view of disclosures in Yano for using IPS mode for

different materials.

Further to claim 10, while the Examiner states that claim 10 is disclosed in Yano, the portion of Yano cited by the Examiner describes that the same optical films (retardation films) are used on both the sides of the crystal cell. It is also unclear what is indicated by the numerical value "350 nm" cited by the Examiner.

The secondary reference, Saito does not overcome the deficiencies in the primary references as discussed above.

For the above reasons, it is respectfully submitted that the subject matter of claims 1 and 3-21 is neither taught by nor made obvious from the disclosures of Umemoto in view of Yano, alone or further in view of Saito, and it is requested that the rejections under 35 U.S.C. §103(a) be reconsidered and withdrawn.

## **II. Conclusion**

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejections under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

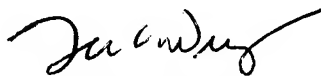
If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

Application No.: 10/531,326  
Art Unit: 2871

Amendment under 37 C.F.R. §1.111  
Attorney Docket No.: 052411

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



Lee C. Wright  
Attorney for Applicants  
Registration No. 41,441  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

LCW/af